

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6381

BILL NUMBER: SB 135

NOTE PREPARED: Jan 21, 2004

BILL AMENDED: Jan 20, 2004

SUBJECT: Pledge Of Allegiance And Moment Of Silence.

FIRST AUTHOR: Sen. Young R Michael

FIRST SPONSOR:

BILL STATUS: 2nd Reading - 1st House

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill has the following provisions:

(1) The bill requires a United States flag to be displayed in each classroom of a school corporation. The bill requires a school corporation to provide a daily opportunity for students to voluntarily recite the Pledge of Allegiance. The bill provides an exemption for students who choose (or whose parents choose for them) not to participate in the Pledge.

(2) The bill requires a school corporation to establish a daily moment of silence in each classroom. The bill repeals a law allowing an optional brief period of silent prayer or meditation.

(3) The bill requires the Attorney General to defend the school corporation in a civil suit based on an act authorized under this statute.

Effective Date: July 1, 2004.

Explanation of State Expenditures: *Summary:* (3) The bill requires the Attorney General to defend all suits involving a school corporation that has been made party to a civil suit concerning reciting the Pledge of Allegiance or daily moment of silence. The impact to state expenditures due to this provision is unknown and would depend on the number of lawsuits filed.

Background: As of January 5, 2004, the Office of the Attorney General had 286 employees (246 full-time, 20 intermittent, 18 on leave, and two part-time.)

Explanation of State Revenues:

Explanation of Local Expenditures: *Summary:* (1) School corporations would be required to purchase enough United States flags to be displayed in each classroom of a school. Any additional expenditures would depend on whether a school corporation currently has sufficient flags to comply with the bill's requirement.

Background: There are currently 293 school corporations in Indiana, with approximately 2,000 public schools.

Based on a small sample of flag retailers, American flags can be purchased for prices ranging from \$2.50 to \$19.50 each, depending upon flag size, material construction, and order quantities.

Explanation of Local Revenues:

State Agencies Affected: Office of the Attorney General.

Local Agencies Affected: School corporations.

Information Sources: Anyflag.com; Tidmoreflags.com; Martin's Flag Company; CVS Systems Inc; *HRM Detail Staffing Report Position and Employee Totals, January 5, 2004.*

Fiscal Analyst: Chris Baker, 317-232-9851.